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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,532	10/10/2001	Craig L. Ogg	47444/FLC/S850	9473
23363	7590	04/12/2006		EXAMINER
CHRISTIE, PARKER & HALE, LLP				REAGAN, JAMES A
PO BOX 7068				
PASADENA, CA 91109-7068			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/975,532	OGG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	James A. Reagan	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 January 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-44 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/22/2002
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

**Status of Claims**

1. This action is in response to the NOTICE OF WITHDRAWAL FROM ISSUE UNDER 37 CFR 1.313(b) filed on 30 January 2005.
2. Claims 1-44 have been examined.
3. The rejections of claims 1-44 have been updated.

**Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1, 13, 25, 32, 38, 40-42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara (US 6,505,179 B1).

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or

part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Claims 1, 13, 25, 32, 38, 40, and 41:**

Kara, as shown, discloses the following limitations:

- *receiving a label stock comprising a first label with a pre-printed serial number* (see at least col. 2, lines 31-40, 45-56, col. 3, lines 55- col. 4, line 5, col. 7, lines 40-50, col. 8, lines 45-48, Figures 1, 7a-7c-16,16b);
- *receiving a postage request* (see at least col. 5, lines 50-55, col. 8, lines 45-48, col. 4, lines 19-40, col. 4, line 65 - col. 5, line 55);
- *generating an indicium in accordance with the pre-printed serial number and the postage request* (see at least col. 2, lines 30-45, col. 3, lines 55-67, col. 4, lines 50-65, col. 5, lines 45 - col. 6, line 7);
- *printing the postage using the indicium and the first label, the indicium providing means for verifying the validity of the postage* (see at least col. 2, lines 30- 67, col. 4, lines 40-65, col. 5, lines 45 - col. 6, line 7, col. 6, lines 5-20);
- *tracking the use of the pre-printed serial number* (see at least col. 8, lines 20-48).

While Kara does not explicitly teach rejecting a subsequent postage request for a second label with the pre-printed serial number, it would have been obvious to one of ordinary skill in the art at the time of the invention to have programmed the vending/sales system of Kara to reject subsequent requests including a serial number already used since Kara determines if a copy is being submitted (see at least col. 2, lines 31-40, col. 4, lines 43-65, col. 5, lines 40-55, col. 6, lines 45-55) and since the transaction is only completed using valid numbers (col. 6, lines 50-56, col. 2, lines 31-40, col. 4, lines 43-65, col. 5, lines 40-55, col. 6, lines 45-55) similar to the programming in which transactions are stopped upon detection of tickets (stamps) which are not in the proper format or fails the validity test (col. 6, line 57 - col. 7, line 24, fig. 6, 55).

Art Unit: 3621

**Claim 42:**

With regard to the limitation of *the indicator is a serial number matching the pre-printed serial number*, see at least col. 2, lines 30- 67, col. 4, lines 40-65, col. 5, lines 45 - col. 6, line 7, col. 6, lines 5-20.

**Claim 44:**

With regard to the limitation of *checking if the master serial number is an active master serial number*, see at least col. 2, lines 30- 67, col. 4, lines 40-65, col. 5, lines 45 - col. 6, line 7, col. 6, lines 5-20.

6. Claims 2, 3, 5, 6-9, 14-15, 17-21, 28-30, 33-35, and 37, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara in view of Leon (US 6,701,304 B2).

**Claims 2, 14, and 37:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the label stock further includes anti-fraud features*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels with encryption features, which is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because these recognized practices reduce loss of revenue due to fraud.

**Claims 3 and 15:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the anti-fraud features include micro-printing on the label stock*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels including micro-printing which is a functional equivalent of the claim

Art Unit: 3621

limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because these recognized practices reduce loss of revenue due to fraud.

**Claims 5 and 17:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the anti-fraud features include cutting the label stock using a special die*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels that must be cut to make labels, which is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because these recognized practices reduce loss of revenue due to fraud.

**Claims 6 and 18:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the anti-fraud features include printing using color changing ink on the label stock*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels with different color ink that is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because these recognized practices reduce loss of revenue due to fraud.

**Claims 7, 19, 28, and 33:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the postage request includes a postage amount*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels with postage amount, which is a functional equivalent of the claim limitations. It would have been

obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because postage amounts are normally included and displayed with the postage indicia.

**Claims 8, 20, 29, and 34:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the postage request includes a postage class*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels with postage class (col. 7, line 5), which is a functional equivalent of the claim limitations since all postage requires postage class. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because postage classes are normally included and displayed with the postage indicia.

**Claims 9, 21, 30, and 35:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the postage request includes a Licensing Postage Office*. However, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) shows preprinted postage labels with U.S. Postage features (See Fig. 4), which is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because licensed postage offices provide the mailing services.

Art Unit: 3621

7. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara/Leon in view of Rhoads (US 6,311,214 B2).

**Claims 4 and 16:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the anti-fraud features include a watermark on the label stock*. However, Rhoads (See abstract, and Col. 1, lines 20-50) discloses steganographic data on a postal paper, which are the functional equivalents of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the anti-fraud features of Leon with Kara's postage metering method and system because these recognized practices reduce loss of revenue due to fraud.

8. Claims 10, 12, 22, 24, 26, 31, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara in view of Whisker (US 4,780,828 A).

**Claims 10, 22, 31, and 36:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *including the pre-printed serial number in the indicium*. However, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the preprinted serial numbers of Whisker with Kara's postage metering method and system because this provides a means for quickly and easily recording transactions based on a incremental and unique number.

**Claims 12, 24, 26, and 39:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *tracking the use of a label stock serial number*. However, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) discloses a method for printing postage based on preprinted serial numbers that are tracked, which is a functional equivalent of the claim limitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the serial number tracking of Whisker with Kara's postage metering method and system because this provides a means for quickly and easily recording transactions based on a incremental and unique number.

9. Claims 11, 23, 27, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara in view of Sansone (US 6,108,643 A).

**Claims 11, 23, and 27:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *the master serial number is linked to a first postage printing device and generating the indicium further includes ensuring the master serial number is used with the first postage printing device*. However, Sansone (See Col. 2, 60-65, Col. 3, lines 1-25) shows a postal meter number on postage, which is a functional equivalent of the claim limitations since security is enhanced by additional security elements. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the master serial number is linked to a first postage printing device of Sansone with Kara's postage metering method and system because this provides a means for quickly and easily recording transactions based on a incremental and unique number as well as the relation to a specific postage metering device.

**Claim 43:**

Kara, as shown above, discloses the postage metering method and system as claimed by the Applicant. Kara does not disclose *rejecting a request to print an indicium related to the master serial number on a second postage printing device*. However, the Examiner takes **Official Notice** that it is old and well-known in the Portage Metering arts to prevent the repeated use of an indicia with a unique serial number in order to prevent loss of income due to fraudulent behavior.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

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**JAMES A. REAGAN**

Primary Examiner

Art Unit 3621

13 January 2005

